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Hearing Date: October 18, 2023
Objection Date: June 16, 2023
Reply Date: July 31, 2023

Attorneys for Defendant Natixis S.A.

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Substantively Consolidated SIPA Liquidation
of Bernard L. Madoff Investment Securities
LLC and the Chapter 7 Estate of Bernard L.
Madoff,

Plaintiff,

v.

NATIXIS S.A. and TENSYS LTD.,

Defendants.

Adv. Pro. No. 08-01789 (CGM)

SIPA Liquidation

(Substantively Consolidated)

Adv. Pro. No. 10-05353 (CGM)

NOTICE OF DEFENDANT NATIXIS S.A.'S MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Natixis S.A.'s Motion to Dismiss in the above-captioned action, the Declaration of Joseph Cioffi and exhibits thereto, and all prior pleadings and proceedings herein, Defendant Natixis S.A. ("Natixis" or "Defendant") will move this Court on October 18, 2023, at 10:00 a.m. (EST), or as soon thereafter as counsel may be heard, for an order dismissing the Amended Complaint (ECF No. 193) filed by Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Stipulation and Order entered on January 10, 2023 (ECF No. 192), any oppositions to Natixis's Motion to Dismiss shall be filed by June 16, 2023, and any reply in further support of Natixis's Motion to Dismiss shall be filed by July 31, 2023.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: April 17, 2023
New York, New York

DAVIS+GILBERT LLP

By: /s/ Joseph Cioffi

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